

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,) 4:08CR3144
)
v.)
)
SCOTT C. FITZGERALD,) MEMORANDUM
)
)
Defendant.) AND ORDER
)

I received the attached letter indicating the defendant's intention to appeal. The letter was not opened until November 30, 2009. Because the envelope in which the letter came in shows a postmark of November 23, 2009, and given the Thanksgiving Day holiday, I assume the envelope was received in my chambers sometime between November 24, 2009 and November 27, 2009 when my office was lightly staffed.

IT IS ORDERED that the Clerk shall file the letter and the envelope and shall treat both as a notice of appeal. The Clerk shall provide copies of the letter and this order to counsel of record.

DATED this 1st day of December, 2009.

BY THE COURT:

Richard G. Kopf
United States District Judge